

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL CACOPERDO,

Plaintiff,

- against -

HARTFORD LIFE INSURANCE
COMPANY,

Defendant.

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:
10CV7847 (RPP)

:
:
ECF

**DECLARATION OF JASON NEWFIELD IN OPPOSITION
TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

I, JASON NEWFIELD, declare as follows:

1. I am a Member of the law firm of Frankel & Newfield, P.C., and counsel for plaintiff, Michael Cacoperdo, in the above-captioned litigation.

2. I submit this Declaration on personal knowledge in opposition to Defendant's Motion for Summary Judgment.

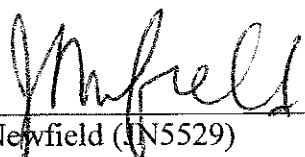
3. Annexed hereto as Exhibit "A" is a true and correct copy of a letter from Hartford's counsel, dated June 1, 2012 (the day the parties moving briefs were due). This letter addresses a response to a question from the videotaped deposition of Juan Mendez that occurred on April 4, 2012. At that time, he was asked whether in the past three years, he could recall whether he had rejected the opinion of a hired paper reviewing physician who found a claimant to be not disabled. This response indicates that, despite the time he had to search his memory, he could not recall a particular claim where this occurred.

4. Annexed hereto as Exhibit "B" is a true and correct copy of Hartford's 2009 Q3 and Q4 Earnings Call with investors. During these calls, Hartford makes note of the decline in "fully insured premiums" within the Group Benefits business (of which LTD is the largest component), and how insurers are "chasing fewer available premium dollars". The Q4 brought additional pressures, with "some unfavorable disability resulting from higher new incuralls.

5. Annexed hereto as Exhibit "C" is a true and correct copy of the deposition of Bruce Luddy, which occurred on January 12, 2012. This deposition is filed with Chambers, as portions of the deposition have been declared confidential by Hartford.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Garden City, New York
June 22, 2012



Jason Newfield (IN5529)